



Journal of the Senate

State of Indiana

115th General Assembly

Second Regular Session

Twenty-fifth Meeting Day

Tuesday Afternoon

March 4, 2008

The Senate convened at 1:58 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Gary P. Dillon.

The Pledge of Allegiance to the Flag was led by Senator Dillon.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting <input type="checkbox"/>	Long
Arnold	Lubbers
Becker	Meeks <input type="checkbox"/>
Boots	Merritt
Bray	Miller
Breaux	Mishler
Brodén	Mrvan
Charbonneau	Nugent
Deig	Paul
Delph	Riegsecker
Dillon	Rogers
Drozda <input type="checkbox"/>	Simpson
Errington	Sipes
Ford <input type="checkbox"/>	Skinner
Gard	Smith
Hershman	Steele
Howard <input type="checkbox"/>	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse <input type="checkbox"/>	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas <input type="checkbox"/>

Roll Call 290: present 43; excused 7. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Joint Resolution 1:

Conferees:

Crawford and Espich

Advisors:

Goodin, Welch, Cochran, Klinker, Borrór, and Turner

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 350:

Conferees:

Goodin and Noe

Advisors:

Crawford, Klinker, and Davis

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 302:

Conferees:

Welch and Frizzell

Advisors:

Niezgodski, Davis, and M. Smith

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 200:

Conferees:

Dvorak and Wolkins

Advisors:

Cheatham, Pond, and Saunders

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 157:

Conferees:

Stemler and T. Brown

Advisors:

Goodin, C. Brown, Neese, and Eberhart

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 143:

Conferees:

C. Brown and Pond

Advisors:

Day, VanDenbergh, Walorski, and Wolkins

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 123:

Conferees:

Battles and Knollman

Advisors:

Pflum, Friend, and Stutzman

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 72:

Conferees:

Niezgodski and Buell

Advisors:

Kersey and Leonard

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 43:

Conferees:

Dvorak and Wolkins

Advisors:

C. Brown, Crooks, Steuerwald, and Neese

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1359. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:

Bardon, Chair

Burton

Advisors:

Summers, Murphy, and T. Harris

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1249. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:

Klinker, Chair

Crouch

Advisors:

Tincher and Cherry

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1246. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:

Austin, Chair

Behning

Advisors:

Porter, Simms, and Dermody

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1187. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:

Lawson, Chair

Koch

Advisors:

VanDenbergh and Steuerwald

CLINTON MCKAY

Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments

March 4, 2008

Senate 1099

to Engrossed House Bill 1119. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:

Austin, Chair

Wolkins

Advisors:

Niezgodski, Buell, and Leonard

CLINTON MCKAY
Principal Clerk of the House

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 4, 2008, signed Senate Enrolled Acts: 117, 118, 153, and 207.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On March 3, 2008, I signed the following enrolled acts into law: SEA 26, 46, 233, 249, 250, and 305.

MITCHELL E. DANIELS, JR.
Governor

**PRESIDENT PRO TEMPORE'S REPORT
OF
CONFEEEE CHANGES**

Pursuant to Rule 81(c), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has made the following change in conferee (or advisor) appointments to Engrossed House Bill 1117:

R. Young to replace Lewis as conferee
Lewis to replace R. Young as advisor

LONG
Date: 3/3/2008
Time: 3:58 p.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
CONFEEEE CHANGES**

Pursuant to Rule 81(c), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has made the following change in conferee (or advisor) appointments to Engrossed House Bill 1096:

Lewis to replace Lanane as conferee

LONG
Date: 3/3/2008
Time: 3:43 p.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
CONFEEEE CHANGES**

Pursuant to Rule 81(c), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has made the following change in conferee (or advisor) appointments to Engrossed House Bill 1196:

Lubbers to replace Boots as advisor

LONG
Date: 3/3/2008
Time: 3:45 p.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
CONFEEEE CHANGES**

Pursuant to Rule 81(c), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has made the following change in conferee (or advisor) appointments to Engrossed House Bill 1071:

Lawson to replace Landske as conferee
Landske to replace Lawson as advisor

LONG
Date: 3/4/2008
Time: 11:48 a.m.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 72:

Conferees: Kruse, Chair and Tallian
Advisors: Mishler and Broden

LONG
Date: 3/4/2008
Time: 2:21 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 350:

Conferees: Lawson, Chair and Broden
Advisors: Zakas and Simpson

LONG
Date: 3/3/2008
Time: 4:25 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b) of the Standing Rules and Orders of

the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 123:
Conferees: Jackman, Chair and Hume
Advisors: Waterman and Deig

LONG
Date: 3/3/2008
Time: 4:06 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 200:
Conferees: Gard, Chair and Lanane
Advisors: Riegsecker and Tallian

LONG
Date: 3/3/2008
Time: 4:09 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 302:
Conferees: Mishler, Chair and Simpson
Advisors: Merritt and Rogers

LONG
Date: 3/3/2008
Time: 4:11 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Joint Resolution 1:
Conferees: Kenley, Chair and Mrvan
Advisors: Meeks, Hershman, Broden, and Simpson

LONG
Date: 3/4/2008
Time: 11:00 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed

the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 157:
Conferees: Miller, Chair and Sipes
Advisors: Mishler, Walker, Rogers, Deig

LONG
Date: 3/3/2008
Time: 4:03 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 312:
Conferees: Boots, Chair and Broden
Advisors: Lawson, Wyss, Rogers, and Deig

LONG
Date: 3/3/2008
Time: 4:23 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 143:
Conferees: Gard, Chair and Broden
Advisors: Miller, Bray, Lanane, and Rogers

LONG
Date: 3/3/2008
Time: 4:00 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 43:
Conferees: Gard, Chair and Hume
Advisors: Riegsecker, Lanane, Tallian, and Drozda

LONG
Date: 3/3/2008
Time: 3:55 p.m.

Report adopted.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 27.

ARNOLD

Roll Call 291: yeas 41, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 111.

LUBBERS

Roll Call 292: yeas 38, nays 3. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 159.

GARD

Roll Call 293: yeas 43, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 241.

ARNOLD

Roll Call 294: yeas 43, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 307.

BRAY

Roll Call 295: yeas 43, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 316.

DILLON

Roll Call 296: yeas 39, nays 4. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 336.

CHARBONNEAU

Roll Call 297: yeas 43, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 343.

TALLIAN

Roll Call 298: yeas 43, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 139.

BRAY

Roll Call 299: yeas 43, nays 0. Motion prevailed.

**MOTIONS TO DISSENT
FROM HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 258 and that a conference committee be appointed to confer with a like committee of the House.

WATERMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 329 and that a conference committee be appointed to confer with a like committee of the House.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 213 and that a conference committee be appointed to confer with a like committee of the House.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 315 and that a conference committee be appointed to confer with a like committee of the House.

DILLON

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 269 and that a conference committee be appointed to confer with a like committee of the House.

DILLON

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representative to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1001:

Advisor:

Thompson

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representative to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 91:

Advisor:
Bell

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representative to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 62:

Advisor:
Burton

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1179. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:
Moses, Chair
Murphy

Advisors:
Robertson, Frizzell, and Ulmer

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1105. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:
Tincher, Chair
Torr

Advisors:
Crawford, Hinkle, and Davis

CLINTON MCKAY
Principal Clerk of the House

SENATE MOTION

Madam President: I move that the Motion to Concur on Engrossed Senate Bill 227, filed March 4, 2008, be withdrawn from further consideration by the Senate.

BECKER

Motion prevailed.

**MOTIONS TO DISSENT
FROM HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 227 and that a conference committee be appointed to confer with a like committee of the House.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Wednesday, March 5, 2008.

LONG

Motion prevailed.

The Senate adjourned at 2:46 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate